

REMARKS

Claims 10-25 are now pending in the application. Claims 10, 14, 17, and 18 have been amended and claims 24 and 25 have been added as new. Support for the foregoing amendments can be found throughout the specification, drawings, and claims as originally filed. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

Applicant has amended claim 10 to correct a typographical error.

CLAIM OBJECTIONS

Claims 10, 17, and 18 are objected to because of certain informalities. Applicant has amended claims 10, 17, and 18 to address the Examiner's objection. Therefore, reconsideration and withdrawal of this objection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 112

Claims 14-23 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention.

Claim 14 and 18 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

These rejections are respectfully traversed.

The Examiner asserts that the recited features of a function unit that performs a signal processing function that is not associated with switching Ethernet packets in

claims 14 and 18 are not supported by the specification. Applicant respectfully traverses the Examiner's assertion.

Applicant submits that the specification at paragraph 26 discloses that "[i]t is worth to emphasise [sic] that said aggregation card is in fact a node card (in terms of PICMG 2.16 standard) capable of performing technical function in addition to Ethernet packet routing, and its specific (aggregation) function is caused by the fact that it is possible to use the installed Ethernet switch or other Ethernet bridging unit for establishing an internal and external communication" (emphasis added). From the above disclosure, one of ordinary skill in the art clearly would appreciate that the aggregation card performs a signal processing function that is not associated with switching Ethernet packets.

Thus, Applicant has complied with the written description requirement.

REJECTION UNDER 35 U.S.C. § 103

Claims 10, 12-20, 22, and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over PICMG 2.16 Revision 1.0, titled "Packet Switching Backplane Short Form Specification (Here on referenced as Prior art 1) in view of Schwartz (U.S. Pat. No. 6,947,410).

Claims 11 and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Prior art 1 in view of Schwartz (U.S. Pat. No. 6,947,410), and further in view of Dove (U.S. Pub. No. 2005/0036506).

These rejections are respectfully traversed.

Claim 10 is directed to a backplane that supports the PICMG 2.16 standard.

Claim 10 recites, among other things:

a first dedicated link establishing a direct connection between the first and the third Ethernet connectors; and

a second dedicated link establishing a direct connection between the second and the third Ethernet connectors,

wherein the third Ethernet connector allows a switch to turn on and off a communication between the first Ethernet connector and the second Ethernet connector and via the first and second dedicated links.

In other words, the third Ethernet connector is in direct connection with both the first and the second Ethernet connectors. Applicant submits that the references cited by the Examiner, individually or in combination, fail to teach or suggest the above limitations.

In the rejection to claim 10, the Examiner asserts, at p. 4, ln. 24 to p. 5, ln. 3:

a first dedicated link establishing a direct connection between the first and third connectors (see link between node slot 1 port a and fabric slot a port 1 in Fig. 6); and a second dedicated link establishing a direct connection between the second and the third connectors (see link between node slot 2 port a and fabric slot a port 2 in Fig. 6).

By the Examiner's own admission, Prior art 1 does not disclose that the port "a" of the node slot 1 and the port "a" of the node slot 2 are connected to the same port of the fabric slot. Prior Art 1 defines that each single connector (link ports 1 to N) in the fabric slot is in communication with only a connector (link port a or b) of one single node slot, rather than with connectors of two node slots as defined in claim 10. In the subject application, Figure 1 of the drawings originally filed clearly shows in one or more embodiments that the connector (P3) of the aggregation slot (102) is connected with the connector (P3) of the node slot (104) and the connector (P3) of the node slot (106).

Therefore, Applicant submits that claim 10 defines over the art cited by the Examiner.

Applicant has amended claim 14 to more clearly point out the claimed subject matter. Applicant submits that claim 14 defines over the art cited by the Examiner for one or more of the reasons set forth above regarding Claim 10. Further, Claim 14 recites, among other things:

a first aggregation card that is pluggable into the first aggregation slot including

a function unit that performs a signal processing function that is not associated with switching Ethernet packets; and

an Ethernet bridging unit that switches Ethernet packets,

wherein the third Ethernet connector allows the Ethernet bridging unit to turn on and off a communication between the first Ethernet connector and the second Ethernet connector and via the first and second dedicated links. (Emphasis added)

Applicant submits that Prior Art 1 and Schwartz, individually or in combination, fail to teach or suggest the above limitations.

The Examiner relies on Schwartz for the teaching of the above features. Specifically, the Examiner asserts, at p. 9, Ins. 8-13:

wherein the aggregation card includes a function unit that performs a signal processing function that is not switching Ethernet packets (see "backplane switch 12 and backplane cards 16 examine the priority bits in a received data packet, identify a quality of service level associated with the priority bits, and process the received data packet according to the identified quality of service level" recited in column 8, lines 58-67).

The section cited by the Examiner at best appears to show that the backplane cards take into consideration priorities and quality of service levels associated with received data packets when determining how to switch the received data packets. In other

words, the functions shown are still associated with switching Ethernet packets, rather than not.

In view of the foregoing, Applicant submits that claim 10 and its dependent claims 11-13 as well as claim 14 and its dependent claims 15-23 define over the art cited by the Examiner.

Formatted: Font: Bold

NEW CLAIMS

Claims 24-25 is new. Applicant submits that claims 24 to 25 define over the art cited by the Examiner for one or more of the reasons set forth above regarding claim 10.

In addition, claim 24 recites:

a first node slot, having a first Ethernet connector for transferring and receiving Ethernet packets, that complies with the requirements for a node slot in PICMG 2.16 standard;

a second node slot, having a second Ethernet connector for transferring and receiving Ethernet packets, that complies with the requirements for a node slot in PICMG 2.16 standard; and

a first aggregation slot, having a third Ethernet connector for transferring and receiving Ethernet packets, that complies with the requirements for a node slot in PICMG 2.16 standard for selectively receiving one from a source node card, a destination node card, and a aggregation card, wherein the aggregation card includes a node card equipped with an Ethernet bridging unit will[.]

In other words, the aggregation slot also complies with the requirements for a node slot in PICMG 2.16 standard and can receive a node card.

In contrast, the fabric slot defined in the PICMG 2.16 standard differs from the node slot defined in the PICMG 2.16 standard. The fabric slot can not receive a node card.

In view of the foregoing, Applicant submits that claims 24-25 define over the art cited by the Examiner.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: December 23, 2008

By: /Joseph M. Lafata/
Joseph M. Lafata, Reg. No. 37,166

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

JML/PFD/evm